

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**BECKLEY DIVISION**

HAROLD MEADOWS,

Movant,

v.

CIVIL ACTION NO. 5:03-cv-02418  
(Criminal No. 5:02-cr-00004-01)

UNITED STATES OF AMERICA,

Respondent.

**JUDGMENT ORDER**

By Standing Order entered on May 20, 2002, and filed in this case on December 8, 2003, this action was referred to United States Magistrate Judge R. Clarke VanDervort for submission of proposed findings and a recommendation (“PF&R”). Magistrate Judge VanDervort filed his PF&R on January 23, 2007 [Docket 75]. In that filing, the magistrate judge recommended that this Court grant Movant’s Motion to Supplement his § 2255 Pleadings [Docket 70], deny Movant’s Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody [Docket 62], and remove this matter from the Court’s active docket.


The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). In addition, failure to file timely objections constitutes a waiver of *de novo* review and Movant’s right to appeal this Court’s Order. *Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984). Here, objections to Magistrate Judge VanDervort’s PF&R were

due by February 9, 2007, pursuant to 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72(b). To date, no objections have been filed.

Accordingly, the Court adopts Magistrate Judge VanDervort's recommendation. The Court hereby **GRANTS** Movant's Motion to Supplement his § 2255 Pleadings [Docket 70], **DENIES** Movant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody [Docket 62], and **DIRECTS** the Clerk to remove this action from the Court's active docket.

The Clerk is further **DIRECTED** to send a certified copy of this Judgment Order to all counsel of record, the Movant, *pro se*, and Magistrate Judge VanDervort.

ENTER: February 14, 2007

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THOMAS E. JOHNSTON  
UNITED STATES DISTRICT JUDGE